

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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TUFAMERICA, INC.,

Case No. 12 CV 3529 (AJN)

Plaintiff,

v.

MICHAEL DIAMOND, ADAM HOROVITZ,  
and ADAM YAUCH, p/k/a BEASTIE BOYS,  
UNIVERSAL MUSIC PUBLISHING, INC.,  
UNIVERSAL MUSIC PUBLISHING GROUP,  
BROOKLYN DUST MUSIC, and CAPITOL  
RECORDS, LLC,

Defendants.  
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**JOINDER BY DEFENDANTS UNIVERSAL-POLYGRAM INTERNATIONAL  
PUBLISHING, INC. AND CAPITOL RECORDS, LLC IN THE MEMORANDUM OF  
LAW OF THE BEASTIE BOYS DEFENDANTS IN OPPOSITION TO THE MOTION  
FOR RECONSIDERATION BY PLAINTIFF TUFAMERICA, INC.**

To avoid duplication, Defendants Universal–Polygram International Publishing, Inc. and Capitol Records, LLC (together, “UMG Defendants”) by their attorneys, Jenner & Block LLP, respectfully join the memorandum of law of the Defendants Michael Diamond, Adam Horovitz, the Estate of Adam Yauch and Brooklyn Dust Music (together, “Beastie Boys Defendants”) in opposition to Plaintiff TufAmerica, Inc.’s Motion for Reconsideration.

Accordingly, the UMG Defendants request that the Court waive any requirement for the filing of a separate Memorandum of Law herewith pursuant to the Local Rules for the Southern District of New York. Notwithstanding the foregoing, the UMG Defendants reserve the right to file a separate memorandum of law in support hereof or in response to any objection hereto.

WHEREFORE, the UMG Defendants respectfully request that this Court deny plaintiff

TufAmerica, Inc.'s motion for reconsideration pursuant to Local Civil Rule 6.3, together with such other and further relief as the Court may deem just and proper.

Dated: May 26, 2016

JENNER & BLOCK LLP

By: Andrew H. Bart

Andrew H. Bart

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*Attorneys for Defendants Universal-Polygram*

*International Publishing, Inc. and Capitol Records,  
LLC*

**CERTIFICATE OF SERVICE**

I, Andrew H. Bart, an attorney, hereby certify that on this May 26, 2016, I caused a true and correct copy of the foregoing Joinder by Defendants Universal–Polygram International Publishing, Inc. and Capitol Records, LLC in the Beastie Boys Defendants’ Opposition to Plaintiff TufAmerica, Inc.’s Motion for Reconsideration to be served on all counsel of record via ECF.

Dated: May 26, 2016

/s/ Andrew H. Bart  
Andrew H. Bart